



Express Mail Mailing Label No. EV631055178US

PATENT

Attorney Docket No.: MDS-030
(120407/156553)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANTS: Kaufman *et al.* CONFIRMATION NO.: 5399
SERIAL NUMBER: 10/099,881 GROUP NUMBER: 3737
FILING DATE: March 15, 2002 EXAMINER: O'Neal, R. Mistry
TITLE: Image Processing Using Measures of Similarity

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

FOURTH SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Sir:

In accordance with the provisions of 37 C.F.R. 1.97 and 1.98, Applicants hereby make of record the patents and publications listed on the accompanying Form PTO-1449, and other information contained herein, for consideration by the Examiner in connection with the examination of the above-identified patent application. In accordance with 37 C.F.R. 1.98(a)(2), only copies of the foreign patent documents and non-patent publications are enclosed.

REMARKS

In accordance with the provisions of 37 C.F.R. 1.97, this statement is being filed (CHECK ONE):

- ☐ (1) within three (3) months of the **filing date** of a national application other than a continued prosecution application under 37 C.F.R. 1.53(d), or within three (3) months of the **date of entry of the national stage** as set forth in 37 C.F.R. 1.491 in an international application, or before the mailing of the **first Office action** on the merits, or before the mailing of a **first Office action** after the filing of a request for continued examination under 37 C.F.R. 1.114; or
- ☒ (2) after the period defined in (1) but before the mailing date of a **final action** or a **notice of allowance** under 37 C.F.R. 1.311, and
- ☐ the requisite Statement is below, **OR**
☒ the requisite fee under 37 C.F.R. 1.17(p), namely **\$180.00**, is included herein, or

- ☐ (3) after the mailing date of a **final action** or **notice of allowance** but before the payment of the **issue fee**, **AND**
- ☐ the requisite Statement is below, **AND**
- ☐ the requisite petition fee under 37 C.F.R. 1.17(p), namely **\$180.00** is included herein.

Additionally, Applicant wishes to call to the Examiner's attention Office Actions issued in the following commonly-owned, co-pending patent applications:

- 1) U.S. Serial No. 09/841,325, Attorney Docket No. MDS-009CN, filed on 4/24/01, by Modell et al.;
 - 2) U.S. Serial No. 11/127,062, Attorney Docket No. MDS-009C2, filed on 5/11/05, by DeBaryshe et al.
 - 3) U.S. Serial No. 11/018,665, Attorney Docket No. MDS-012DV, filed on 12/21/04, by Nordstrom et al.;
 - 4) U.S. Serial No. 10/068,133, Attorney Docket No. MDS-013AC2, filed on 2/5/02, by Kaufman et al.;
 - 5) U.S. Serial No. 10/911,996, Attorney Docket No. MDS-013AC3, filed on 8/5/04, by Kaufman et al.;
 - 6) U.S. Serial No. 09/738,147, Attorney Docket No. MDS-013B, filed on 12/15/00, by Kaufman et al.;
 - 7) U.S. Serial No. 10/411,777, Attorney Docket No. MDS-013BC1, filed on 4/11/03, by Kaufman et al.;
 - 8) U.S. Serial No. 10/870,672, Attorney Docket No. MDS-014C2, filed on 6/17/04, by Modell et al.;
 - 9) U.S. Serial No. 10/122,429, Attorney Docket No. MDS-015CN, filed on 4/12/02, by Nordstrom et al.;
 - 10) U.S. Serial No. 10/701,123, Attorney Docket No. MDS-016CN, filed on 11/4/03, by Modell et al.;
 - 11) U.S. Serial No. 10/872,128, Attorney Docket No. MDS-020C1, filed on 6/18/04, by Costa et al.;
 - 12) U.S. Serial No. 10/071,932, Attorney Docket No. MDS-022C1, filed on 2/8/02, by Nordstrom et al.;
 - 13) U.S. Serial No. 10/192,820, Attorney Docket No. MDS-028, filed on 7/10/02, by Schomacker et al.;
 - 14) U.S. Serial No. 10/273,511, Attorney Docket No. MDS-031, filed on 10/18/02, by Clune et al.;
 - 15) U.S. Serial No. 10/894,356, Attorney Docket No. MDS-032C1, filed on 7/19/04, by Zelenchuck et al.;
 - 16) U.S. Serial No. 10/848,735, Attorney Docket No. MDS-033C1, filed on 5/19/04, by Schomacker et al.;
 - 17) U.S. Serial No. 10/828,624, Attorney Docket No. MDS-034DV, filed on 4/21/04, by Schomacker et al.;
 - 18) U.S. Serial No. 10/418,922, Attorney Docket No. MDS-035, filed on 4/18/03, by Flewelling et al.;
 - 19) U.S. Serial No. 10/418,902, Attorney Docket No. MDS-035A, filed on 4/18/03, by Jiang et al.;
 - 20) U.S. Serial No. 10/418,974, Attorney Docket No. MDS-035B, filed on 4/18/03, by Jiang;
 - 21) U.S. Serial No. 10/418,668, Attorney Docket No. MDS-035D, filed on 4/18/03, by Costa et al.;
 - 22) U.S. Serial No. 10/418,975, Attorney Docket No. MDS-035E, filed on 4/18/03, by Jiang et al.;
 - 23) U.S. Serial No. 10/418,415, Attorney Docket No. MDS-035F, filed on 4/18/03, by Schomacker et al.;
 - 24) U.S. Serial No. 10/419,181, Attorney Docket No. MDS-035G, filed on 4/18/03, by Jiang et al.;
 - 25) U.S. Serial No. 10/418,973, Attorney Docket No. MDS-035H, filed on 4/18/03, by Schomacker et al.;
- and

26) U.S. Serial No. 10/530,741, Attorney Docket No. MDS-037, filed on 4/7/05, by Flewelling et al.

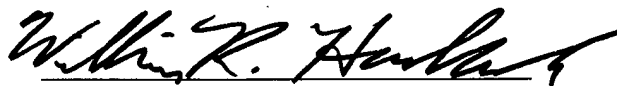
It is respectfully requested that each of the patents and publications listed on the attached Form PTO-1449, and other information contained herein, be made of record in this application.

STATEMENT

As required under 37 C.F.R. 1.97(e), Applicant(s), through the undersigned, hereby state either that [check the appropriate space only if either (2) or (3) is checked on the previous page and the Statement is required]:

- ☐ 1. Each item of information contained in the Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application **not more than three months** prior to the filing of the Information Disclosure Statement; or
- ☐ 2. No item of information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing this Statement after making reasonable inquiry, no item of information contained in the Information Disclosure Statement was known to **any individual** designated in 37 C.F.R. 1.56(c) **more than three months** prior to the filing of the Information Disclosure Statement.

Respectfully submitted,



William R. Haulbrook, Ph.D.

Attorney for Applicants

Goodwin Procter LLP

Exchange Place

Boston, Massachusetts 02109

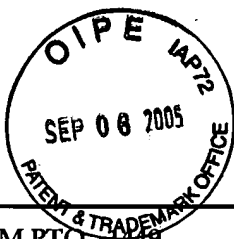
Customer No. 051414

Date: September 2, 2005
Reg. No. 53,002

Tel. No.: (617) 570-1013
Fax No.: (617) 523-1231

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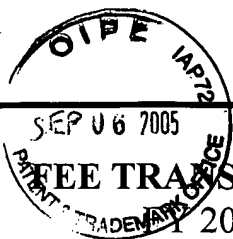


EXPRESS MAIL MAILING LABEL NO. EV631055178US

FORM PTO-1449 FOURTH SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT				ATTORNEY DOCKET NO.: MDS-030 APPLICANT(S): Kaufman <i>et al.</i> SERIAL NO.: 10/099,881 FILING DATE: March 15, 2002 GROUP: 3737			
U.S. PATENT DOCUMENTS							
EXAM. INIT.		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB CLASS	FILING DATE IF APPROPRIATE
	A240	D 500,134	12/21/04	Banks <i>et al.</i>			
	A241	D 507,349	7/12/05	Banks <i>et al.</i>			
	A242	4,349,510	09/14/82	Kolehmainen, <i>et al.</i>			
	A243	4,396,579	08/02/83	Schroeder, <i>et al.</i>			
	A244	4,755,055	07/05/88	Johnson <i>et al.</i>			
	A245	4,803,049	02/07/89	Hirschfeld <i>et al.</i>			
	A246	5,205,291	4/27/93	Potter			
	A247	5,383,874	01/24/95	Jackson <i>et al.</i>			
	A248	5,412,563	05/02/95	Cline <i>et al.</i>			
	A249	5,452,723	9/26/95	Wu <i>et al.</i>			
	A250	5,784,162	7/21/98	Cabib <i>et al.</i>			
	A251	5,838,435	11/17/98	Sandison			
	A252	5,871,439	02/16/99	Takahashi, <i>et al.</i>			
	A253	5,894,340	04/13/99	Loree <i>et al.</i>			
	A254	5,902,246	05/11/99	McHenry <i>et al.</i>			
	A255	5,912,257	06/15/99	Prasad <i>et al.</i>			
	A256	5,987,343	11/16/99	Kinast			
	A257	5,999,844	12/7/99	Gombrich <i>et al.</i>			
	A258	6,026,319	2/15/00	Hayashi			
	A259	6,067,371	05/23/00	Gouge <i>et al.</i>			
	A260	6,096,065	08/01/00	Crowley			
	A261	6,123,454	09/26/00	Canfield <i>et al.</i>			
	A262	6,135,965	10/24/00	Tumor <i>et al.</i>			
EXAMINER				DATE CONSIDERED			

FORM PTO - 1449				ATTORNEY DOCKET NO.: MDS-030			
FOURTH SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT				APPLICANT(S): Kaufman <i>et al.</i>			
				SERIAL NO.: 10/099,881			
				FILING DATE: March 15, 2002 GROUP: 3737			
	A263	6,166,079	12/26/00	Follen <i>et al.</i>			
	A264	6,210,331	04/03/01	Raz			
	A265	6,224,256	05/01/01	Bala			
	A266	6,258,576	07/10/01	Richars-Kortum <i>et al.</i>			
	A267	6,332,092	12/18/01	Deckert <i>et al.</i>			
	A268	6,370,422	04/09/02	Richards-Kortum, <i>et al.</i>			
	A269	6,390,671	05/21/02	Tseng			
	A270	6,405,070	6/11/02	Banerjee			
	A271	6,424,852	07/23/02	Zavislan			
	A272	6,487,440	11/26/02	Deckert <i>et al.</i>			
	A273	6,497,659	12/24/02	Rafert			
	A274	6,593,101	07/15/03	Richards-Kortum, <i>et al.</i>			
	A275	6,593,102	7/15/03	Zahniser			
	A276	6,639,674	10/28/03	Sokolov <i>et al.</i>			
	A277	6,697,666	02/24/04	Richards-Kortum, <i>et al.</i>			
	A278	6,760,613	07/06/04	Nordstrom <i>et al.</i>			
	A279	6,818,903	11/16/04	Schomacker, <i>et al.</i>			
	A280	6,826,422	11/30/04	Modell <i>et al.</i>			
	A281	6,839,661	1/4/05	Costa <i>et al.</i>			
	A282	6,847,490	01/25/05	Nordstrom <i>et al.</i>			
	A283	6,902,935	06/07/05	Kaufman <i>et al.</i>			
	A284	6,933,154	8/23/05	Schomacker <i>et al.</i>			
	A285	2001/0041843	11/15/2001	Modell <i>et al.</i>			
	A286	2002/0133073	09/19/2002	Nordstrom <i>et al.</i>			
	A287	2002/0177777	11/28/02	Nordstrom <i>et al.</i>			
	A288	2002/0197728	12/26/2002	Kaufman <i>et al.</i>			
	A289	2003/0114762	01/17/02	Balas			
EXAMINER				DATE CONSIDERED			

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	A290	2003/0163049	08/2/03	Balas					
	A291	2003/0207250	11/06/2003	Kaufman <i>et al.</i>					
	A292	2004/0010375	01/15/04	Schomacker <i>et al.</i>					
	A293	2004/0010195	01/15/2004	Zelenchuk					
	A294	2004/0206913	10/21/04	Costa <i>et al.</i>					
	A295	2004/0206882	10/21/04	Banks <i>et al.</i>					
	A296	2004/0206914	10/21/04	Schomacker <i>et al.</i>					
	A297	2004/0207625	10/21/04	Griffin <i>et al.</i>					
	A298	2004/0208385	10/21/04	Jiang					
	A299	2004/0208390	10/21/04	Jiang <i>et al.</i>					
	A300	2004/0209237	10/21/04	Flewelling <i>et al.</i>					
	A301	2005/0054936	03/10/05	Balas					
	A302	2005/0090751	04/28/05	Balas					
FOREIGN PATENT DOCUMENTS									
EXAM. INIT.		DOCUMENT NUMBER	DATE	COUNTRY CODE	CLASS	SUB CLASS	FILING DATE	ABSTRACT ONLY	ENGLISH LANG (Y/N)
	B33	196 29 646	01/29/88	DE				N	Y (abstract)
	B34	1-245215	09/29/1989	JP				N	Y (abstract)
	B35	2-17429	01/22/1990	JP				N	Y (abstract)
	B36	5-256772	10/05/1993	JP				N	Y (abstract)
	B37	04/005885	01/15/04	WO			07/08/03	N	Y
	B38	04/005895	01/15/04	WO			07/08/03	N	Y
	B39	04/095359	11/04/04	WO				N	Y
OTHER ART, JOURNAL ARTICLES, ETC.									
EXAM. INIT.	OTHER DOCUMENTS: (Including Author, Title, Date, Relevant Pages, Place of Publication)								
EXAMINER					DATE CONSIDERED				



#JFW

FREE TRANSMITTAL SEP 06 2005 PATENT TRADEMARK OFFICE	Complete if Known	
	Application Serial Number	10/099,881
	Filing Date	March 15, 2002
	First Named Inventor	Kaufman
	Group Art Unit	3737
	Examiner Name	O'Neal, R. Mistry
	Attorney Docket No.	MDS-030

METHOD OF PAYMENT		FEE CALCULATION (continued)																																																																																													
1. <input checked="" type="checkbox"/> Payment Enclosed: <input checked="" type="checkbox"/> Check <input type="checkbox"/> Money Order <input type="checkbox"/> Other		3. ADDITIONAL FEES																																																																																													
2. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to credit or charge any fee indicated below for this submission to Deposit Account No. 07-1700. <input type="checkbox"/> Required Fees (copy of this sheet enclosed). <input checked="" type="checkbox"/> Additional fee required under 37 CFR 1.16 and 1.17. <input checked="" type="checkbox"/> Overpayment Credit.		<table border="1"><thead><tr><th>Large Entity Fee (\$)</th><th>Small Entity Fee (\$)</th><th>Fee Description</th><th>Fee Paid</th></tr></thead><tbody><tr><td>130</td><td>65</td><td>Surcharge - late filing fee or oath</td><td></td></tr><tr><td>50</td><td>25</td><td>Surcharge - late provisional filing fee or cover sheet</td><td></td></tr><tr><td>130</td><td>130</td><td>Non-English specification</td><td></td></tr><tr><td>2,520</td><td>2,520</td><td>Request for ex parte reexamination</td><td></td></tr><tr><td>120</td><td>60</td><td>Extension for reply within first month</td><td></td></tr><tr><td>450</td><td>225</td><td>Extension for reply within second month</td><td></td></tr><tr><td>1020</td><td>510</td><td>Extension for reply within third month</td><td></td></tr><tr><td>1590</td><td>795</td><td>Extension for reply within fourth month</td><td></td></tr><tr><td>2160</td><td>1080</td><td>Extension for reply within fifth month</td><td></td></tr><tr><td>500</td><td>250</td><td>Notice of Appeal</td><td></td></tr><tr><td>500</td><td>250</td><td>Filing a brief in support of an appeal</td><td></td></tr><tr><td>1000</td><td>500</td><td>Request for oral hearing</td><td></td></tr><tr><td>400</td><td>400</td><td>Petitions to the Commissioner (Gp. I)</td><td></td></tr><tr><td>200</td><td>200</td><td>Petitions to the Commissioner (Gp. II)</td><td></td></tr><tr><td>130</td><td>130</td><td>Petitions to the Commissioner (Gp. III)</td><td></td></tr><tr><td>180</td><td>180</td><td>Submission of Information Disclosure Statement</td><td>180.00</td></tr><tr><td>790</td><td>395</td><td>Filing a submission after final rejection (37 CFR 1.129(a))</td><td></td></tr><tr><td>790</td><td>395</td><td>For each additional invention to be examined (37 CFR 1.129(b))</td><td></td></tr><tr><td>100</td><td>100</td><td>Certificate of Correction for applicant's error</td><td></td></tr><tr><td>130</td><td>65</td><td>Submission of Terminal Disclaimer</td><td></td></tr><tr><td colspan="2">Other fee (Specify) _____</td><td></td><td></td></tr><tr><td colspan="2">Other fee (Specify) _____</td><td></td><td></td></tr></tbody></table>		Large Entity Fee (\$)	Small Entity Fee (\$)	Fee Description	Fee Paid	130	65	Surcharge - late filing fee or oath		50	25	Surcharge - late provisional filing fee or cover sheet		130	130	Non-English specification		2,520	2,520	Request for ex parte reexamination		120	60	Extension for reply within first month		450	225	Extension for reply within second month		1020	510	Extension for reply within third month		1590	795	Extension for reply within fourth month		2160	1080	Extension for reply within fifth month		500	250	Notice of Appeal		500	250	Filing a brief in support of an appeal		1000	500	Request for oral hearing		400	400	Petitions to the Commissioner (Gp. I)		200	200	Petitions to the Commissioner (Gp. II)		130	130	Petitions to the Commissioner (Gp. III)		180	180	Submission of Information Disclosure Statement	180.00	790	395	Filing a submission after final rejection (37 CFR 1.129(a))		790	395	For each additional invention to be examined (37 CFR 1.129(b))		100	100	Certificate of Correction for applicant's error		130	65	Submission of Terminal Disclaimer		Other fee (Specify) _____				Other fee (Specify) _____			
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Direct all correspondence to: Patent Administrator Goodwin Procter LLP Exchange Place Boston, MA 02109 Tel. No.: (617) 570-1000 Fax No.: (617) 523-1231 Customer No. 051414		Respectfully submitted, <i>William R. Haulbrook</i> Date: September 2, 2005 Reg. No.: 53,002 Tel. No.: (617) 570-1013 Fax No.: (617) 523-1231 William R. Haulbrook, Ph.D. Attorney for the Applicants Goodwin Procter LLP Exchange Place Boston, MA 02109																																																																																													